

**Notice of Allowability**

Application No.

10/728,440

Examiner

Olisa Anwah

Applicant(s)

HENDERSON, DANIEL A.

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2614

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 1/29/2007.
2. ☒ The allowed claim(s) is/are 364,418-421,432-435,437-442,444,445 and 447-449.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 1/29/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**EXAMINER'S AMENDMENT**

**Allowable Subject Matter**

1. Claims 364, 418-421, 432-435, 437-442, 444, 445 and 447-449 are allowed.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Robert Tendler on February 5, 2007.

**AMMENDMENT to APPLICATION**

4. The application has been amended as follows:

a) Regarding claim 364, line 4

--message including a picture--has been changed to "message including a non-facsimile picture";

b) Regarding claim 432, line 3

--message including a picture--has been changed to "message including a non-facsimile picture";

c) Regarding claim 448, line 4

--message including a picture--has been changed to "message including a non-facsimile picture";

5. The following is an examiner's statement of reasons for allowance:

Regarding claims 364, 432 and 448, Saltzstein et al, U.S. Patent No. 5,446,678 (hereinafter Saltzstein) discloses a method of sending graphical data over an alphanumeric paging service (see abstract). Wells et al, U.S. Patent No. 5,023,905 (hereinafter Wells) shows a data receiver that is capable of receiving scanned graphics by radio transmission (see column 2). However, neither Saltzstein nor Wells discloses the claimed limitations of:

receiving at a message center coupled to a communications network message originator information provided automatically by the communications network as the caller ID identifying the telephone number of the message originator, and the non-facsimile picture obtained from the message originator prior to

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transmitting the caller ID to a wireless portable communication device;

wirelessly transmitting the caller ID and the picture from the message center to the wireless portable communication device; and

receiving the wirelessly transmitted picture and the caller ID at the wireless portable communication device.

As per claim 439, Wright et al, U.S. Patent No. 5,426,594 (hereinafter Wright) discloses transmitting a video sequence (see column 16) via a paging system (see unit 130 from Figure 1). However, nowhere does Wright disclose the claimed limitations of:

receiving at a message center coupled to a communications network both message originator information provided automatically by the communications network as the caller ID identifying the telephone number of the message originator, and the video obtained from the message originator prior to transmitting the caller ID to a wireless portable communication device; and

causing the communications network to wirelessly transmit the caller ID and the video from the message center to the wireless portable communication device.

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### Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8:30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



Olisa Anwah  
Patent Examiner  
May 4, 2007



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600